

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

Tavis Miller,

3:14-CV-872-PK

Plaintiff,

ORDER

v.

United Parcel Service, Inc.,

Defendant.

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**BROWN, Judge.**

Magistrate Judge Paul Papak issued Findings and Recommendation (#39) on January 22, 2016, in which he recommended this Court deny United Parcel Service, Inc.'s (UPS) Motion (#23)

for Summary Judgment pursuant to the Federal Rule of Civil Procedure 56. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and the Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). *See also* *Kimberly Day v. United Parcel Service, Inc.*, 2:09-CV-1261, (D. Or. 2011). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#39). Accordingly, the Court **DENIES** the Defendant's Motion (#23) for Summary Judgment.

IT IS SO ORDERED.

DATED this 9th day of March, 2016.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge